

# UNITED STATES DISTRICT COURT

for the  
Eastern District of Washington

ROBERT TODD APPELATE,

\_\_\_\_\_  
*Plaintiff*

v.

COMMISSIONER OF SOCIAL SECURITY,

\_\_\_\_\_  
*Defendant*

)  
)  
) Civil Action No. 4:16-CV-05059-FVS  
)  
)

## JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) \_\_\_\_\_ recover from the  
defendant (*name*) \_\_\_\_\_ the amount of  
\_\_\_\_\_ dollars (\$ \_\_\_\_\_), which includes prejudgment  
interest at the rate of \_\_\_\_\_ %, plus post judgment interest at the rate of \_\_\_\_\_ % per annum, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) \_\_\_\_\_  
\_\_\_\_\_ recover costs from the plaintiff (*name*) \_\_\_\_\_  
\_\_\_\_\_.

☒ other: Report and Recommendation (ECF No. 20) is ADOPTED in its entirety. Plaintiff's Motion for Summary Judgment (ECF No. 13) is GRANTED. Defendant's Motion for Summary Judgment (ECF No. 16) is DENIED. Judgment is entered for Plaintiff.

This action was (*check one*):

☐ tried by a jury with Judge \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by Judge \_\_\_\_\_ without a jury and the above decision was reached.

☒ decided by Judge \_\_\_\_\_ Fred Van Sickle \_\_\_\_\_ on a  
Report and Recommendation (ECF No. 20) and Motions for Summary Judgment (ECF Nos. 13 and 16).

Date: 8/30/2017

CLERK OF COURT

SEAN F. McAVOY

s/ Lennie Rasmussen

(By) Deputy Clerk

Lennie Rasmussen